

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY**

THERAVANCE BIOPHARMA R&D IP,
LLC, et al.,

Plaintiffs,

v.

EUGIA PHARMA SPECIALITIES LTD., et
al.,

Defendants.

C.A. No. 1:23-cv-00926-KMW-AMD
(consolidated)

**DECLARATION OF LOLY G. TOR IN SUPPORT OF DEFENDANTS' OPENING
CLAIM CONSTRUCTION BRIEF**

I, Loly G. Tor, of full age, hereby declare as follows:

1. I am a partner with the law firm of K&L Gates LLP, counsel for Defendants Cipla Limited and Cipla USA Inc. (collectively, "Cipla").
2. I submit this Declaration in support of Defendants' Opening Claim Construction Brief.
3. Attached hereto are true and correct copies of the following:

Exhibit No.	Document	Document Short Name	Bates Nos.
A	U.S. Patent No. 8,541,451	'451 Patent	PLTF-YUP-00000268–289
B	Excerpts from Prosecution History of U.S. Patent No. 8,541,451	Prosecution History of the '451 Patent	PLTF-YUP-00000533–554; PLTF-YUP-00000650–661; PLTF-YUP-00000665–678
C	U.S. Patent No. 11,691,948	'948 Patent	PLTF-YUP-00004085–4107

Exhibit No.	Document	Document Short Name	Bates Nos.
D	Excerpts from Prosecution History of U.S. Patent No. 11,691,948	Prosecution History of the '948 Patent	PLTF-YUP-000004320-4344; PLTF-YUP-000004492-4501
E	U.S. Patent No. 11,858,898	'898 Patent	PLTF-YUP-00487213-487237
F	Excerpts from Prosecution History of U.S. Patent No. 11,858,898	Prosecution History of the '898 Patent	PLTF-YUP-00487407-487414
G	U.S. Patent No. 9,765,028	'028 Patent	PLTF-YUP-00001531-1553
H	Excerpts from Prosecution History of U.S. Patent No. 9,765,028	Prosecution History of the '028 Patent	PLTF-YUP-00001846-1855
I	U.S. Patent No. 11,008,289	'289 Patent	PLTF-YUP-00002634-2657
J	Excerpts from Prosecution History of U.S. Patent No. 11,008,289	Prosecution History of the '289 Patent	PLTF-YUP-00002872-2880
K	U.S. Patent No. 11,649,209	'209 Patent	PLTF-YUP-00003730-3752
L	Excerpts from Prosecution History of U.S. Patent No. 11,649,209	Prosecution History of the '209 Patent	PLTF-YUP-00003849-3867; PLTF-YUP-00003916-3923; PLTF-YUP-00004046-4050; PLTF-YUP-00004052-4060
M	U.S. Patent No. 10,550,081	'081 Patent	PLTF-YUP-00002337-2359
N	Excerpts from Prosecution History of U.S. Patent No. 10,550,081	Prosecution History of the '081 Patent	PLTF-YUP-00002537-2548; PLTF-YUP-00002560-2570
O	U.S. Patent No. 10,100,013	'013 Patent	PLTF-YUP-00002016-2037
P	Excerpts from Prosecution History of U.S. Patent No. 10,100,013	Prosecution History of the '013 Patent	PLTF-YUP-00002213-2220
Q	U.S. Patent No. 11,484,531	'531 Patent	PLTF-YUP-00002937-2944
R	Excerpts from Prosecution History of U.S. Patent No. 11,484,531	Prosecution History of the '531 Patent	PLTF-YUP-00003071-3082; PLTF-YUP-00003083-3089; PLTF-YUP-00003097-3116; PLTF-YUP-00003117-3125; PLTF-YUP-00003468-3509; PLTF-YUP-00003558-3569; PLTF-YUP-00003630-3648; PLTF-YUP-00003700-3709

Exhibit No.	Document	Document Short Name	Bates Nos.
S	U.S. Patent No. 12,048,692	'692 Patent	PLTF-YUP-00519677-519686
T	Excerpts from Prosecution History of U.S. Patent No. 12,048,692	Prosecution History of the '692 Patent	PLTF-YUP-00519365-9393; PLTF-YUP-00519463-9482;
U	Excerpts from Remington's Pharmaceutical Sciences, Chapters 38-39 (2000)	Remington 2000	DEFSREV0001873-1875, 1884-1885; DEFSREV0007909-7912, 7916-7918, 7926, 7940-7941
V	U.S. Patent No. 9,415,041	'041 Patent	DEFSREV0007610-7630
W	U.S. Patent No. 9,226,896	'896 Patent	DEFSREV0007589-7609
X	Ralph J. Fessenden & Joan S. Fessenden, Techniques and Experiments for Organic Chemistry 36-49 (1983)	Fessenden 1983	DEFSREV0008070-8088
Y	Excerpts from B. D. Cullity & S. R. Stock, Elements of X-Ray Diffraction (3d ed. 2001)	Cullity 2001	DEFSREV0007763-7766
Z	Excerpts from Byrn et al., Solid State Chemistry of Drugs, 2nd ed. 1999	Byrn 1999	DEFSREV0000678-681, 698-739
AA	Excerpts from Handbook of Pharmaceutical Analysis (Lena Ohannesian et al. eds., 2002)	Ohannesian 2002	DEFSREV0008117-8118, 8162-8163
AB	Excerpts from Allan S. Myerson and Rajiv Ginde, Crystals, Crystal Growth, and Nucleation, Handbook of Industrial Crystallization 33-65 (2d ed. 2002)	Myerson and Ginde 2002	DEFSREV0000007876
AC	Excerpts from Harry G. Brittain, Polymorphism in Pharmaceutical Solids, 1999 (Chapter 6)	Brittain 1999	DEFSREV0000550, 595, 599-601, 607-610

Exhibit No.	Document	Document Short Name	Bates Nos.
AD	Excerpts from J. Haleblan & W. McCrone, Pharmaceutical Applications of Polymorphism, J. Pharmaceutical Sciences 911 (1969)	Haleblan 1969	DEFSREV0001515, 1521-1523
AE	Excerpts from United States Pharmacopeia 31, Chapters 891, 941, 1151 (2008)	USP 2008	DEFSREV0007966-67, 7972-76, 7983, 7985
AF	<i>Takeda Pharm. Co., Ltd., et al. v. Handa Pharms., LLC</i> , No. 3:11-cv-00840-JC (N.D. Cal. 2011), Myerson Declaration in Support of Takeda's Opening Claim Construction Brief (excerpt)		
AG	<i>Pharmacyclics LLC, et al, v. Alvogen Pine Brook LLC, et al.</i> , Case No. 1:19-cv-00434-CFC-CJB (D. Del 2019), Joint Claim Construction Brief (citing Myerson Declaration) (excerpt)		
AH	Excerpt from Plaintiffs' Infringement Contentions for U.S. Patent No. 12,048,692 to Cipla Defendants (REDACTED)		
AI	Excerpt from Plaintiffs' Infringement Contentions for U.S. Patent No. 12,048,692 to Mankind Defendants (REDACTED)		
AJ	U.S. Patent Publication No. 2016/0166506 A1	Gerhart	THERAV01301564–1596

I declare under penalty of perjury that the foregoing is true and correct.

Dated: February 28, 2025

By: /s/ Loly G. Tor
Loly G. Tor